

C/m

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TIMOTHY FITZPATRICK,

MEMORANDUM AND ORDER

Plaintiffs,

CV 05-5036

-against-

(Wexler, J.)

LONG ISLAND RAILROAD,

Defendant.

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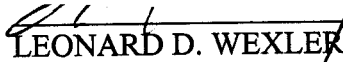
WEXLER, District Judge

Plaintiff has recently submitted a letter to this court indicating a review of the complaint and a desire to discontinue certain causes of action. In accord with that letter, it is hereby ordered that the following causes of action are dismissed with prejudice:

- The Third Cause of Action alleging claims pursuant to the Federal Employers' Liability Act.
- The Sixth Cause of Action in part as it relates to any claims raised under the New York City Humans Rights Law.

- The Seventh Cause of Action with respect to any breach of contract claim.

SO ORDERED


LEONARD D. WEXLER
UNITED STATES DISTRICT JUDGE

Central Islip, New York
February 22, 2007